



Early Journal Content on JSTOR, Free to Anyone in the World

This article is one of nearly 500,000 scholarly works digitized and made freely available to everyone in the world by JSTOR.

Known as the Early Journal Content, this set of works include research articles, news, letters, and other writings published in more than 200 of the oldest leading academic journals. The works date from the mid-seventeenth to the early twentieth centuries.

We encourage people to read and share the Early Journal Content openly and to tell others that this resource exists. People may post this content online or redistribute in any way for non-commercial purposes.

Read more about Early Journal Content at <http://about.jstor.org/participate-jstor/individuals/early-journal-content>.

JSTOR is a digital library of academic journals, books, and primary source objects. JSTOR helps people discover, use, and build upon a wide range of content through a powerful research and teaching platform, and preserves this content for future generations. JSTOR is part of ITHAKA, a not-for-profit organization that also includes Ithaka S+R and Portico. For more information about JSTOR, please contact support@jstor.org.

CRIMINAL STATISTICS IN GERMANY, FRANCE AND ENGLAND.

ARTHUR MACDONALD.¹

The purpose of this article is to give the official statistics on the general condition of crime for long periods in three leading countries of Europe: Germany, where there has been an increase in crime; France, where it is stationary; and England, where there has been a decrease.

However significant variations in crime may be, the most important question is, why should there be so much crime as there is? This constancy and persistency of a large amount of criminality will be seen from the statistics to be given below. There is no doubt that eventually crime can be lessened by a scientific study of causes, as has been done in physical diseases. But the discussion of such a question would lead too far beyond the limits of this article.

Criminal statistics should furnish to a government the most solid basis for overseeing the execution of the law and following the course of justice in its smallest details. In this respect the great desideratum should be to hasten criminal prosecutions, correct abuses, and point out errors committed in the application of the rules of procedure.² Statistics, to be of much value, must consist of large numbers, extending over a long period of time.

GENERAL THEORIES.

There are certain general theories of criminal statistics which, though imperfect, have some value. Thus it appears to be a general law in all countries that there is an alternation in crimes against property and crimes against the person, so that in a year when one increases the other decreases and vice versa.³ Thus, when there are large crops and a mild temperature, crimes against property tend to decrease, while crimes against the person increase. As crimes

¹Anthropologist and Criminologist, Washington, D. C.

²See *Juvenile Crime and Reformation*, including stigmata of degeneration, by the author, being hearings on bills to establish a laboratory, etc., before the Senate Committee on Education and Labor and the House Committee on the Judiciary. Senate Document No. 532, 60th Congress, 1st Session, 339 pages, 8°. 1908. This document may be obtained gratis through any U. S. Senator or Representative.

³Ferri, *Sociologie Criminelle*.

CRIME IN GERMANY, FRANCE AND ENGLAND.

against property are much more numerous proportionally, they have more influence on the annual totality of crime.

The crime level for each year depends upon the physical and social environment, combined with the hereditary tendencies and occasional impulses of individuals. Thus, in France, the greatest variations of crime against the person occur in epochs of political revolution, or in years when the summers are warmer, or when there is an extraordinary consumption of meat, cereals and wine. For less serious crimes, of an occasional character, as assaults and wounds, the increase may vary according to the abundance of the production of wine. This particular kind of crime against the person is most frequent in the months near vintage time, though there may be a constant decrease in other crimes against the person.

On the other hand, crimes against property vary widely with their special environment, such as the economic situation, which is generally in a state of unstable equilibrium, as in years of dearth, bad crops, commercial, financial, and industrial crises, etc.

It has been contended⁴ that crimes against the person increase directly with increase of temperature and length of day, while crimes against property increase with length of nights and lowering of temperature. This gives a reason why crimes against the person reach a maximum in summer and crimes against property a maximum in winter. A parallel has also been indicated between vegetation and criminality. Thus, violations of adults or children follow, by their maxima or minima, the laws of rut in animals and fecundation in vegetables. The maxima occur in May, June, July, and August.

It is said that for every one hundred crimes against the person, 86 are committed by men and 14 by women; for crimes against property, 79 by men and 21 by women. Different reasons are given. Some say that woman is more easily influenced by the feeling of pride and shame; also that she is more retired by habit and weaker physically. Others assert that less criminality among women is only apparent, for, though prostitution is not included in the statistics of crime, it is a true form of feminine criminality.

CRIME IN GERMANY.

In 1882, 329,968 persons were convicted of crime, making 1,040 (see table A) for every 100,000 of the population of punishable age. In 1901, 497,310 persons were convicted, making 1,256 for every 100,000 of population. Relative to the population, the

⁴Lacassagne.

ARTHUR MACDONALD.

number of convictions from 1882 to 1901 increased 20.8 per cent; that is, about one-fifth. It is especially during the years 1889 to 1894 that this increase took place.

Table A.

GERMANY.

NUMBER OF PERSONS CONVICTED FOR EVERY 100,000 OF PUNISHABLE AGE IN THE POPULATION.

Year.	1	2 All Crimes and Offenses.	3 Crimes Against Property.	4 Crimes Against Person.	5 Crimes Against Morality.	6 Petit Larceny.	7 Offenses Against Emperor and Other Nobility.	8 Resistance Against State Power; Force and Threats Against State Officers.	9 Bodily Injury of Dangerous Nature.
1882.....	1,040	534	338	20	250				121
1883.....	1,034	515	352	20	241				128
1884.....	1,080	509	361	20	231				150
1885.....	1,062	487	396	21	214				159
1886.....	1,080	480	410	23	210				165
1887.....	1,081	469	418	23	198				170
1888.....	1,048	456	403	22	194				165
1889.....	1,087	487	410	21	211				168
1890.....	1,105	487	429	22	206				177
1891.....	1,224	511	431	23	216				178
1892-93.....	1,087	499	403	22	219	1.4	39	160	
1892.....	1,202	559	450	25	236	1.5	40	187	
1893.....	1,212	517	485	25	202	1.7	42	205	
1894.....	1,244	519	508	28	198	1.7	45	216	
1895.....	1,249	509	517	29	192	1.6	44	221	
1896.....	1,244	487	530	29	184	1.5	45	231	
1897.....	1,246	494	526	27	189	1.2	45	233	
1898.....	1,262	504	537	29	191	1.2	42	240	
1899.....	1,240	488	538	28	179	1.1	45	245	
1900.....	1,198	480	518	29	181	0.78	41	237	
1901.....	1,256	504	539	32	190	0.75	43	248	
1892-1901.....	1,251	512	522	29	196	1.3	44	230	
1892-1901.....	1,171	505	465	26					
1902.....	1,273	.....	.....	190	0.68	42	242		
1903.....	1,234	.....	.....	181	0.69	40	235		
1904.....	1,242	.....	.....	175	0.66	42	238		
1905.....	1,230	.....	.....	174	0.45	42	231		

In considering these statistics it must be remembered that they were gathered not immediately after the crime was committed, but after the conviction. The greatest increase took place in 1892. In the previous year, 1891, not only did grain reach a very high price, but there was an economic depression lasting until 1896, when conditions began to improve. It will be noted that from 1896 to 1900 the number of convictions were 4.4 per cent less. In 1900 there was again an unfavorable turn in economic conditions, and in 1901 and

CRIME IN GERMANY, FRANCE AND ENGLAND.

1902 there was an increase of crime. In the following diagram, marked 1, is traced the general course of crime.

Diagram 1.

ALL CRIMES.

Scale—No. convicted for every 100,000 in population of punishable age.



CLASSES OF CRIMES.

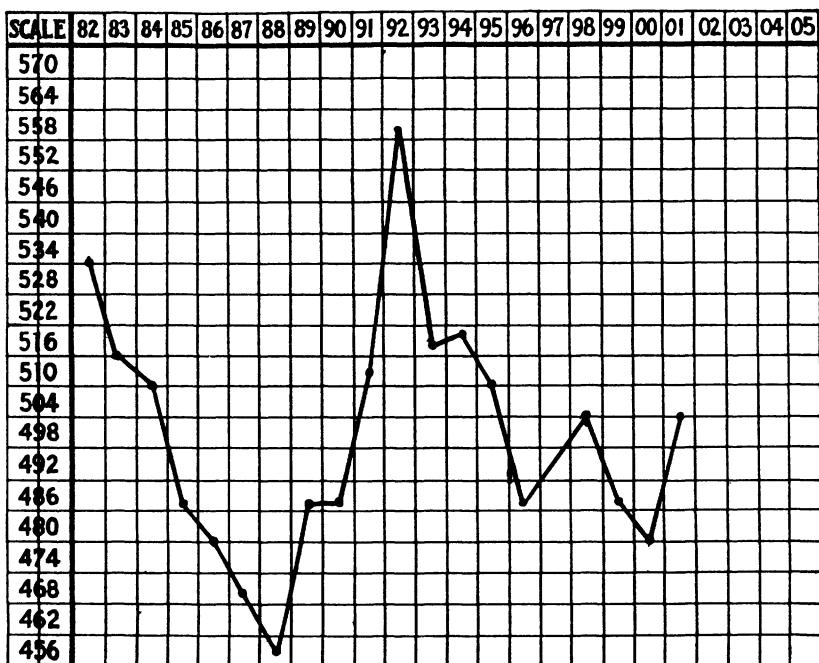
In table A is given also the results for certain kinds of crime for every 100,000 of the population of punishable age from 1882 to 1901, and in some instances to 1905. By an examination of the following diagrams some of the results of table A will be more clearly indicated.

In diagram 2, based upon column 3 of table A, are given the variations of crime against property, which, on the whole, shows a decrease from 1882 to 1901. But from 1882 to 1888 there is a large decrease, and then a greater increase to 1892, and again a decrease with more variations.

Diagram 2.

CRIMES AGAINST PROPERTY.

Scale—No. convicted for every 100,000 in population of punishable age.



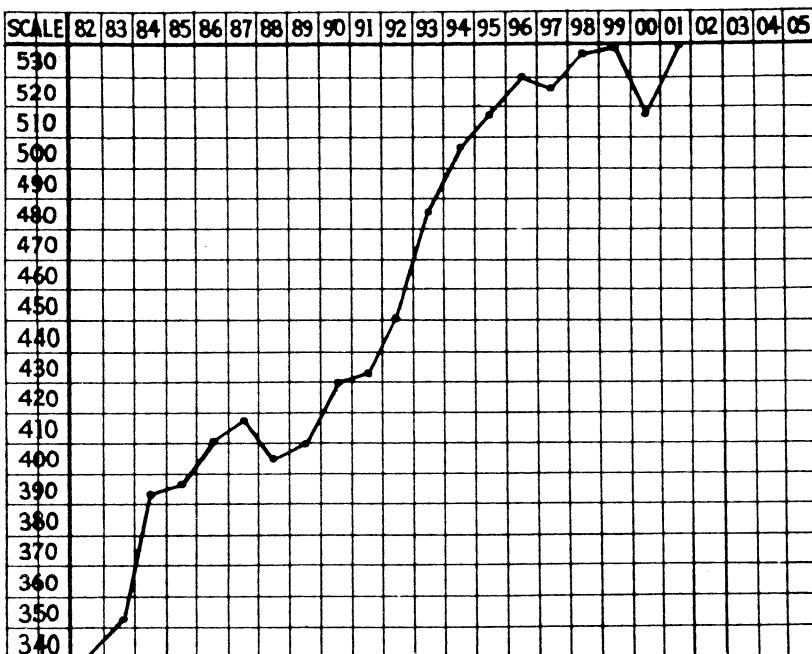
In diagram 3, based upon column 4 of table A, will be found the course of crime against the person, which, contrary to crime against property, shows a large increase, following in lines somewhat similar to those in diagram 1, for all crimes.

CRIME IN GERMANY, FRANCE AND ENGLAND.

Diagram 3.

CRIME AGAINST THE PERSON.

Scale—No. convicted for every 100,000 in population of punishable age.



A most striking decrease is shown in diagram 4 (based on column 6 of table A), for petit larceny.

Diagram 4.

PETIT LARCENY.

Scale—No. convicted for every 100,000 in population of punishable age.



It will be noted that in all of the diagrams, especially in diagram 2, for crimes against property, the lines rise for 1892, which may be considered the most criminal of all years for Germany.

In column 7, of table A, are given the relative number of offenses against the Emperor and other nobility. Much has been said about these insults and affronts, but it will be seen that they have been decreasing, being 1.5 in 1892 and 0.45 in 1905. But, on the other hand, there has been an increase of resistance against the authority of the state in the form of force and threats against state officers (column 8, table A). A striking feature is the great increase of crimes involving dangerous physical injury (column 9), as shown by the number of fights and brawls. It is a general belief that the quantity of crime in any country does not vary very much except in form. The above results illustrate this to a certain extent.

CRIME IN FRANCE.

In table B are given the quinquennial averages of convicted persons for every 1,000 inhabitants from 1873 to 1902. Under the

CRIME IN GERMANY, FRANCE AND ENGLAND.

head of correctional tribunals, which have to do with the less serious crimes, there is indicated an increase. Under the Court of Assizes, which deals with the gravest crimes, there is a gradual decrease.

Table B.⁵

FRANCE.

Quinquennial Averages of Convicted Criminals for Every 1,000 Inhabitants.

Years.	Correctional Tribunals.	Court of Assizes.
1873- 77.....	5.06	0.11
1878- 82.....	5.00	0.09
1883- 87.....	5.37	0.08
1888- 92.....	5.62	0.08
1893- 97.....	5.73	0.07
1898-1902.....	4.96	0.06

As these variations upward or downward are not great, the smaller decrease in the most serious crimes may be regarded as offsetting the larger increase in the less serious crimes, so that on the whole the condition of crime in France may be considered as somewhat stationary.

Table C.

FRANCE.

Years.	Annual Average Number of Persons Tried for Crime from 1826 to 1905.										
	Annual Average Number of Cases Tried Before the			Court of Assizes.							
				Court of Assizes.	Correctional Tribunals.	Police Courts.	Murder.	Assassination and Attempt At.	Grave Assault and Wounds.	Theft.	Offenses Against Officials.
1	2	3	4	5	6	7	8	9	10	11	
1826-30.....	5,376	119,446	97,568	279	258	352	12,576	3,206	13,056	411	939
1831-35.....	5,244	135,738	102,757	282	289	340	15,589	4,295	14,590	410	1,025
1836-40.....	5,728	141,940	148,255	189	297	298	22,102	4,769	15,621	636	1,471
1841-45.....	5,292	148,922	198,878	196	289	258	24,942	5,585	16,724	884	1,768
1846-50.....	5,159	169,026	197,343	240	324	206	31,920	8,014	18,318	1,097	1,880
1851-55.....	5,278	194,836	356,725	171	301	141	42,053	9,162	16,327	1,870	2,815
1856-60.....	4,155	168,111	402,433	119	234	75	40,619	7,776	17,457	2,722	3,388
1861-65.....	3,658	141,685	410,445	121	212	39	37,253	7,533	21,148	3,287	4,041
1866-70.....	3,435	138,649	321,235	136	238	20	38,851	7,892	22,662	2,707	2,977
1871-75.....	3,853	155,545	363,925	190	252	22	41,655	13,994	21,331	2,931	3,189
1876-80.....	3,446	167,229	382,764	160	239	21	41,522	13,216	24,334	3,235	3,526
1881-85.....	3,342	180,806	383,949	225	265	30	44,686	13,490	27,768	3,058	4,210
1886-90.....	3,095	190,308	381,006	202	277	22	47,941	13,728	28,971	2,990	4,422
1891-95.....	2,860	201,338	378,543	221	266	25	49,145	15,258	33,443	3,290	3,896
1896-1900.....	2,448	179,869	378,906	223	217	33	43,750	13,450	36,158	3,084	3,496
1900-05.....	2,098	169,693	376,457	215	159a	25	31,172	11,147	24,610	....	2,530

⁵See *Annuaire Statistique*, Paris, 1906.

ARTHUR MACDONALD.

Table C,⁶ columns 1, 2, and 3, gives the annual average number of cases, for periods of five years, tried before the Court of Assizes, correctional tribunals, and police courts from 1826 to 1905. In columns 4 to 11 the annual average number of persons, etc., is given instead of the number of cases.

It will be seen from column 1 of this table (table C), that the most serious crimes have decreased with some variations in the quinquennial periods. According to the French statisticians, some of the increases may be due to the high price of grain and some of the decreases to political troubles when there is a relaxation in enforcing the law. In the less grave forms of crime, as shown in columns 2 and 3, there has been a general increase. Many of the offenses, however, in the police courts cannot be considered criminal; yet, considering them all as a whole, they might be regarded as indicating incipient criminality, for many a criminal career has its beginning in these small offenses.

In columns 4, 5, and 6 are given the most grave crimes against the person, in which there is a general decrease, but with many variations. The decrease is very marked in grave assaults and wounds (column 6). It will be noted, however, that this same form of crime in column 9, under correctional tribunals, and so less serious, has increased considerably, due in all probability to the increase of alcoholism.⁷ The increase of offenses against officials (column 8) is due much to the same cause.

The large increase of offenses against public decency (column 10) is especially noticeable, beginning with the quinquennial period from 1856 to 1860. This form of crime and degeneracy has been increasing in many other countries, and what is still more serious, the closely related patho-sexual crimes, like those of Jack the Ripper of London,⁸ Jesse Pomeroy, of Boston, and Durrant of California,⁹ are becoming quite frequent, though often disguised and unrecognized in our country.

CRIMINAL STATISTICS FOR ENGLAND AND WALES.

From table D¹⁰ it will be seen that there has been a large decrease, relative to population, in the number of persons tried for

⁶Compte général, de la Justice Criminelle, Paris, 1907.

⁷See article (by the writer) entitled "Statistics of Alcoholism and Inebriety," the Journal of Inebriety, 1909, Boston, Mass.

⁸"Le Criminel Type" dans quelques formes graves de la criminalité (by the author), Paris, 1895.

⁹See "Juvenile Crime and Reformation," already referred to.

¹⁰Judicial Statistics, England and Wales, London, 1907.

CRIME IN GERMANY, FRANCE AND ENGLAND.

Table D.

PROPORTION PER 100,000 OF THE POPULATION.

Years.	No. Tried for Indictable Offenses.	No. Tried for Criminal Non-Indictable Offenses.	No. Tried for Non-criminal Non-Indictable Offenses.	Crimes Known to the Police.
1857-60	262.69	579.92	1,165.64	450.09
1861-65	287.96	598.53	1,195.50	444.35
1866-70	270.55	601.43	1,402.38	435.89
1871-75	223.76	577.58	1,696.41	354.53
1876-80	221.69	507.91	1,866.44	366.47
1881-85	225.87	455.83	1,907.73	354.80
1886-90	201.53	391.77	1,775.79	306.21
1891-95	186.05	270.27	1,760.45	281.38
1896-1900	163.76	331.88	1,947.22	249.96
1901-05	175.20	274.25	1,936.61	282.42
1905	179.96	249.29	1,887.35	277.15

indictable offenses, as compared with the returns fifteen or twenty years earlier. While there have been occasional rises followed by falls, there has been on the whole a large decrease in crime. There is a rise in column 4 which corresponds closely with the rise in county court complaints and includes many offenses not worse than the non-payment of debt. As to crimes known to the police, they are only about one-half of what they were in 1857-60. Almost the only offense in which there has been a steady increase is attempting to commit suicide.

All criminal statistics are not exactly accurate criteria of the amount of crime. Thus there are difficulties in prosecuting certain kinds of offenders and reluctance to proceed against others. In frauds or complexity of accounting to the British specialist, the cost of prosecution may be too great, and the results before a jury too dubious. Joint stock companies, forms and documents, hiding the real operator, and complexity of modern financial operations obscure legal issues and increase the difficulty of making any particular person responsible. Returns may be affected also by a reluctance to prosecute, due to a growing disbelief in the efficacy of punishment to reform or deter.

While there has been a slight increase in indictable offenses within the last decade (table E), it is interesting to note how small the change is in the relative proportions of different classes of crime, as shown in table E, which gives the proportion per 100,000 population of persons tried for each class of indictable offenses.

The great preponderance of crimes in England against property is noteworthy. Offenses against persons accompanied with violence are an insignificant part of the whole. The low percentage of crime

Table E.
ENGLAND AND WALES.

	Proportions per 100,000 Population of Persons Tried for Each Kind of Indictable Offenses.												
	1883	1894	1895	1896	1897	1898	1899	1900	1901	1902	1903	1904	1905
Offenses Against the Person.....	9.38	9.14	9.05	9.13	8.77	8.72	8.74	7.95	8.36	8.30	7.48	7.33	
Offenses Against Property with Violence.....	7.40	7.31	6.51	6.15	6.61	7.03	6.40	6.72	7.34	8.64	9.34	9.44	10.13
Offenses Against Property without Violence.....	171.88	167.03	147.68	145.74	147.80	147.38	138.46	148.17	150.50	152.01	152.82	156.73	157.66
Malicious Injury to Property.....	.94	.80	.97	.88	1.06	1.01	1.10	1.02	.90	.88	.96	.92	1.16
Forgery and Offenses Against the Currency.....	1.48	1.18	1.12	1.06	.97	1.11	.98	.79	.86	.90	.96	1.09	
Other Offenses Not Included Above	1.64	1.49	1.54	1.52	1.63	1.40	1.70	1.64	2.03	2.15	2.70	2.68	2.60
Totals.....	192.73	186.96	166.88	164.53	162.83	166.65	158.38	166.29	169.98	172.01	175.10	177.59	179.96

CRIME IN GERMANY, FRANCE AND ENGLAND.

from 1895 to 1899 has been followed by an increase each year from 1900 to 1905 (table E).

MURDER AND INSANITY.

From table F it will be seen that there is apparently a close relation between murder and insanity, accounting for the readiness with which the plea of insanity is accepted in capital cases. Compared with other kinds of crime the percentage of insanity in England is very large, the greatest being 42.11 in 1900, and the smallest 21.05 in 1899.

Table F.

PERSONS FOR TRIAL FOR MURDER.

Year.	No. Held for Trial.	No. Found Insane.	Percentage Found Insane.
96.....	87	19	21.84
1897.....	85	25	29.41
98.....	91	26	28.57
99.....	95	20	21.05
1900.....	76	32	42.11
01.....	118	36	30.51
02.....	111	33	29.73
03.....	117	30	25.64
04.....	99	36	36.36
05.....	89	28	31.46